



DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA-2021-0520; Airspace Docket No. 21-ASO-17]

RIN 2120-AA66

Amendment and Establishment of Class D and E Airspace; Concord, NC

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action amends Class D airspace, establishes Class E airspace designated as an extension to a Class D surface area, and amends Class E airspace extending upward from 700 feet above the surface at Concord-Padgett Regional Airport, Concord, NC. The FAA is taking this action as a result of the Charlotte Class B Biennial Review. This action also updates the airport's name to Concord-Padgett Regional Airport (formerly Concord Regional Airport). In addition, this action updates the geographic coordinates of the airport to coincide with the FAA's database. This action also makes an editorial change replacing the term Airport/Facility Directory with the term Chart Supplement in the legal descriptions of associated Class D airspace. Controlled airspace is necessary for the safety and management of instrument flight rules (IFR) in the area.

DATES: Effective 0901 UTC, January 27, 2022. The Director of the Federal Register approves this incorporation by reference action under 1 CFR part 51, subject to the annual revision of FAA Order JO 7400.11 and publication of conforming amendments.

ADDRESSES: FAA Order JO 7400.11F, Airspace Designations and Reporting Points, and subsequent amendments can be viewed online at https://www.faa.gov/air_traffic/publications/. For further information, you can contact the Airspace Policy Group, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC, 20591; Telephone: (202) 267-8783. The Order is also available for inspection at the National Archives and Records Administration (NARA). For information on the availability of FAA Order JO 7400.11F at NARA, email fr.inspection@nara.gov or go to <https://www.archives.gov/federal-register/cfr/ibr-locations.html>.

FOR FURTHER INFORMATION CONTACT: John Fornito, Operations Support Group, Eastern Service Center, Federal Aviation Administration, 1701 Columbia Ave., College Park, GA 30337; Telephone (404) 305-6364.

SUPPLEMENTARY INFORMATION:

Authority for this Rulemaking

The FAA's authority to issue rules regarding aviation safety is found in Title 49 of the United States Code. Subtitle I, Section 106 describes the

authority of the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of the agency's authority. This rulemaking is promulgated under the authority described in Subtitle VII, Part A, Subpart I, Section 40103. Under that section, the FAA is charged with prescribing regulations to assign the use of airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This regulation is within the scope of that authority as it establishes and amends Class D and E airspace in Concord, NC.

History

The FAA published a notice of proposed rulemaking in the *Federal Register* (86 FR 35237, July 2, 2021) for Docket No. FAA-2021-0520 to amend Class D airspace, establish Class E airspace designated as an extension to a Class D surface area, and amend Class E airspace extending upward from 700 feet above the surface at Concord-Padgett Regional Airport, Concord, NC. In addition, the FAA proposed to update the geographic coordinates of the airport to coincide with the FAA's database, and make an editorial change replacing the term Airport/Facility Directory with the term Chart Supplement in the legal description of associated Class D airspace.

Interested parties were invited to participate in this rulemaking effort by submitting written comments on the proposal to the FAA. No comments were received.

Class D and Class E airspace designations are published in Paragraphs 5000, 6004, and 6005, respectively, of FAA Order JO 7400.11F, dated August 10, 2021, and effective September 15, 2021, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designations listed in this document will be published subsequently in the Order.

Availability and Summary of Documents for Incorporation by Reference

This document amends FAA Order JO 7400.11F, Airspace Designations and Reporting Points, dated August 10, 2021, and effective September 15, 2021. FAA Order JO 7400.11F is publicly available as listed in the ADDRESSES section of this document. FAA Order JO 7400.11F lists Class A, B, C, D, and E airspace areas, air traffic routes, and reporting points.

The Rule

The FAA is amending 14 CFR part 71 by amending the Class D airspace and Class E airspace extending upward from 700 feet above the surface at Concord-Padgett Regional Airport, Concord, NC, by updating the airport's name to Concord-Padgett Regional Airport, (formerly Concord Regional Airport), and updating the geographical coordinates to coincide with the FAA's database. In addition, this action amends Class E airspace extending upward from 700 feet above the surface at Concord-

Padgett Regional Airport, Concord, NC, by increasing the radius to 8.8 miles (formerly 6.5 miles). This action also establishes Class E airspace designated as an extension to a Class D surface area airspace for Concord-Padgett Regional Airport within 1 mile each side of the 010° bearing from the Concord-Padgett Regional Airport, extending from the 4.0-mile radius to 6.3 miles northeast of the airport, and within 1 mile each side of the 190° bearing from the airport, extending from the 4.0-mile radius to 6.3 miles southwest from the airport. In addition, the FAA replaces the outdated term Airport/Facility Directory with the term Chart Supplement in the associated Class D airspace in the legal descriptions for Concord-Padgett Regional Airport.

FAA Order JO 7400.11, Airspace Designations and Reporting Points, is published yearly and effective on September 15.

Regulatory Notices and Analyses

The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It therefore:

- (1) is not a “significant regulatory action” under Executive Order 12866;
- (2) is not a “significant rule” under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is minimal.

Since this is a routine matter that only affects air traffic procedures and air

navigation, it is certified that this rule, when promulgated, does not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

Environmental Review

The FAA has determined that this action qualifies for categorical exclusion under the National Environmental Policy Act in accordance with FAA Order 1050.1F, “Environmental Impacts: Policies and Procedures,” paragraph 5-6.5a. This airspace action is not expected to cause any potentially significant environmental impacts, and no extraordinary circumstances exist that warrant preparation of an environmental assessment.

Lists of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air)

Adoption of the Amendment

In consideration of the foregoing, the Federal Aviation Administration amends 14 CFR part 71 as follows:

PART 71 --DESIGNATION OF CLASS A, B, C, D, AND E

AIRSPACE AREAS;

AIR TRAFFIC SERVICE ROUTES; AND REPORTING POINTS

1. The authority citation for part 71 continues to read as follows:

Authority: 49 U.S.C. 106(f), 106(g); 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959-1963 Comp., p. 389

§71.1 [Amended]

2. The incorporation by reference in 14 CFR 71.1 of FAA Order JO 7400.11F, Airspace Designations and Reporting Points, dated August 10, 2021, and effective September 15, 2021, is amended as follows:

Paragraph 5000. Class D Airspace.

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ASO NC D Concord, NC [Amended]

Concord-Padgett Regional Airport, NC
(lat 35°23'16"N., long. 80°42'33"W.)

That airspace extending upward from the surface to and including 3,200 feet MSL within a 4-mile radius of Concord-Padgett Regional Airport. This Class D airspace area is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Chart Supplement.

Paragraph 6004. Class E Airspace Designated as an Extension to Class D
or E Surface Area

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ASO NC E4 Concord, NC [New]

Concord-Padgett Regional Airport, NC
(lat. 35°23'16"N., long. 80°42'33"W.)

That airspace extending upward from the surface within 1 mile each side of the 010° bearing from the Concord-Padgett Regional Airport, extending from the 4.0-mile radius to 6.3 miles northeast of the airport, and within 1 mile each side of the 190° bearing from the airport, extending from the 4.0-mile radius to 6.3 miles southwest of the airport. This Class E airspace area

is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Chart Supplement.

Paragraph 6005. Class E Airspace Areas Extending Upward from 700 feet or More Above the Surface of the Earth.

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ASO NC E5 Concord, NC [Amended]
Concord-Padgett Regional Airport, NC
(lat. 35°23'16"N., long. 80°42'33"W.)

That airspace extending upward from 700 feet above the surface within an 8.8-mile radius of the Concord-Padgett Regional Airport.

Issued in College Park, Georgia, on **October 15, 2021.**

ANDREESE C. DAVIS,
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